Jeffrey N. Pomerantz, Esq. Andrew W. Caine, Esq. (admitted pro hac vice) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Boulevard Los Angeles, California 90067-4100 Telephone: (310) 277-6910 Telecopy: (310) 201-0760

- and -

Robert J. Feinstein, Esq. John A. Morris, Esq. (admitted pro hac vice) PACHULSKI STANG ZIEHL & JONES LLP 780 Third Avenue, 36th Floor New York, New York 10017 Telephone: (212) 561-7700 Telecopy: (212) 561-7777

Counsel to the Circuit City Stores, Inc. Liquidating Trust

Lynn L. Tavenner, Esq. (VA Bar No. 30083)
Paula S. Beran, Esq. (VA Bar No. 34679)
TAVENNER & BERAN, PLC
20 North Seventieth Street, 2nd Floor
Richmond, Virginia 23219
Telephone: (804) 783-8300
Telecopy: (804) 783-0178

Counsel to the Circuit City Stores, Inc. Liquidating Trust

## IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION

	v
In re:	: Chapter 11
CIRCUIT CITY STORES, INC., et al.,	: : 1Case No. 08-35653 (KRH)
Debtors.	: : : Jointly Administered x

ORDER ON DEBTORS' NINTH OMNIBUS OBJECTION TO CERTAIN (I) LATE CLAIMS AND (II) LATE 503(b)(9) CLAIMS\_SOLELY AS IT RELATES TO CLAIM FILED BY ADAM DRAKE

THIS MATTER having come before the Court on the *Debtors' Ninth Omnibus Objection* to Certain (i) Late Claims and (ii) Late 503(b)(9) Claims (the "Objection") solely as the Objection relates to Claim No. 12251 filed by Adam Drake, and it appearing that due and proper notice and

12304-003\DOCS LA:235078.1

Case 08-35653-KRH Doc 10241 Filed 04/01/11 Entered 04/01/11 12:15:03 Desc

Main Document Page 2 of 3

service of the Objection in compliance with Fed. R. Bankr. P. 3007 and 7004 and LBR 3007-1 and

the Notice of Substantive Hearing on the Objection have been given to Adam Drake and that such

notice was good and sufficient and that no other or further notice or service of the Objection need

be given, and it appearing that the relief requested by the Objection as it relates to Claim No.

12251 is in the best interest of the Circuit City Stores, Inc. Liquidating Trust (the "Liquidating

Trust" and/or "Trust") and the beneficiaries thereof; and after due deliberation thereon, good and

sufficient cause exists for the granting of the relief as set forth herein,

IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT:

1. Claim No. 12251 is hereby disallowed for all purposes in these bankruptcy cases.

2. The Liquidating Trust shall serve a copy of this Order on Adam Drake on or before five

(5) business days from the entry of this Order.

Dated: Richmond, Virginia

March , 2011

HONORABLE KEVIN R. HUENNEKENS UNITED STATES BANKRUPTCY JUDGE

2

## WE ASK FOR THIS:

/s/ Paula S. Beran

Lynn L. Tavenner (VA Bar No. 30083) Paula S. Beran (VA Bar No. 34679) TAVENNER & BERAN PLC 20 North Eighth Street, 2nd Floor Richmond, Virginia 23219

Telephone: 804-783-8300 Facsimile: 804-783-0178

-and-

Robert J. Feinstein (NY Bar No. RF-2836) Jeffrey N. Pomerantz (CA Bar No. 143717) Andrew W. Caine (CA Bar No. 110345) PACHULSKI STANG ZIEHL & JONES LLP 10100 Santa Monica Blvd. 11th Floor Los Angeles, California 90067-4100 Telephone: 310-227-6910

Telephone: 310-227-6910 Facsimile: 310-201-0760 E-mail:rfeinstein@pszjlaw.com jpomerantz@pszjlaw.com

Counsel for Circuit City Stores, Inc. Liquidating Trust

## **LOCAL RULE 9022-1 CERTIFICATION**

In accordance with Local Rule 9022-1, the foregoing proposed order has been endorsed by or served upon all necessary parties.

<u>/s/ Paula S. Beran</u> Co-Counsel